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PTO/SB/26 (09-04)

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)  
010530C1

In re Application of: Brian Minear, et al.

Application No.: 10/689,969

Filed: October 20, 2003

For: SYSTEM AND METHOD FOR PROVIDING AN INTERACTIVE SCREEN ON A WIRELESS DEVICE INTERACTING WITH A SERVER

The owner, Qualcomm Incorporated, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,721,578 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

expires for failure to pay a maintenance fee;

is held unenforceable;

is found invalid by a court of competent jurisdiction;

is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;

has all claims canceled by a reexamination certificate;

is reissued; or


is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 48,493



Signature

January 10, 2006  
Date

Christopher S. Chow  
Typed or printed name

(858) 845-3249  
Telephone Number

- ☐ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
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This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## CONTINUING PATENT APPLICATION TRANSMITTAL

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450Customer No.: 23696  
Attorney Docket No.: 010530C1  
Date: October 20, 2003  
Express Mail Label No.: EV328152715US

Transmitted herewith for filing is a:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)Inventor(s): Brian Minear, Mazen Chmaytelli, Mitchell B. Oliver, Stephen A. SpriggFor: System and Method for Providing an Interactive Screen on a Wireless Device Interacting with a Server

Prior application information:

Examiner: Jean Alland Group Art Unit: 2681  
GelinSerial No.: 10/061,635 Filed on: January 31, 2002Inventor(s): Brian Minear, Mazen Chmaytelli, Mitchell B. Oliver, Stephen A. SpriggFor: System and Method for Providing an Interactive Screen on a Wireless Device Interacting with a Server16235 U.S. PTO  
10/689969  
102003

Enclosed are:

1. ☒ Patent application (22) total pages.
2. ☒ Drawings: ☒ Formal (5) sheet(s) or ☐ Informal ( ) sheet(s).
3. ☒ Declaration/Power of Attorney: ☐ Signed ☐ Unsigned ☒ Copy from prior application.
4. ☐ An Assignment ( ) pages and Recordation Form Cover Sheet.
5. ☐ Deletion of Inventor(s). Signed statement attached deleting inventor(s) named in the prior application.
6. ☒ A Preliminary Amendment (7) pages.
7. ☐ Information Disclosure Statement (IDS):
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations (number of citations: )
8. ☐ Other:

CLAIMS:	(a) Filed	(b) Extra Claims	Large Entity Fee	Fee Paid
Total*	19-20	0	x \$18 =	\$0
Independent**	8-3	5	x \$86 =	\$430
Multiple Dependent Claim(s): <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes			\$290	\$0
APPLICATION FILING FEE			\$770	\$770
TOTAL FEE				\$1200

\*If the number in column a is less than 20, enter 0 in column b.

\*\*If the number in column b is less than 3, enter 0 in column b.

9. ☐ A check in the amount of \$\_\_\_\_\_ is enclosed to pay the filing fee.
10. ☒ Please charge Deposit Account No. 17-0026 of QUALCOMM Incorporated in the amount of \$1200. The Commissioner is hereby authorized to charge payment of any additional fees which may be required, or credit any overpayment, to said Deposit Account No. 17-0026. A duplicate of this sheet is enclosed.
11. ☒ The Commissioner is further hereby authorized to charge to said Deposit Account No. 17-0026, pursuant to 37 CFR 1.25(b), any fee whatsoever which may become properly due or payable, as set forth in 37 CFR 1.16 to 37 CFR 1.18 inclusive, for the entire pendency of this application without specific, additional authorization.

Date: October 20, 2003Signature: Robert J. O'ConnellRobert J. O'Connell, Reg. No. 44,265  
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